

**MINUTES OF  
FAIRFAX COUNTY PLANNING COMMISSION  
WEDNESDAY, APRIL 21, 2004**

**UNAPPROVED DRAFT**

**Completed April 27, 2004**

PRESENT: Walter L. Alcorn, Commissioner At-Large  
John R. Byers, Mount Vernon District  
Frank de la Fe, Hunter Mill District  
Janet R. Hall, Mason District  
Suzanne F. Harsel, Braddock District  
James R. Hart, Commissioner At-Large  
Nancy Hopkins, Dranesville District  
Ronald W. Koch, Sully District  
Kenneth Lawrence, Providence District  
Rodney L. Lusk, Lee District  
Peter F. Murphy, Jr., Springfield District  
Laurie Frost Wilson, Commissioner At-Large

ABSENT: None

//

The meeting was called to order at 8: 15 p.m. by Chairman Peter F. Murphy, Jr.

//

**COMMISSION MATTERS**

Commissioner Harsel announced that the Joint School Board/Planning Commission Committee meeting scheduled for tonight had been postponed until Thursday, April 22, 2004, at 7:30 p.m. in the Board Conference Room.

//

Commissioner Alcorn indicated that a workshop would be held on May 6, 2004, to review the implementation of the residential development criteria following the scheduled public hearing agenda.

//

Commissioner de la Fe noted that architectural and landscape plans for The Metropolitan at Reston Town Center had been distributed tonight. He announced his intent to review the information on Thursday, April 29, 2004.

//

Chairman Murphy announced that the planning commission would not meet on Wednesday, April 28, 2004.

//

Chairman Murphy recognized Administrative Assistant Day by thanking Planning Commission staff members Linda Rodeffer, Deputy Clerk; Heidi Baggett, Associate Clerk; Norma Duncan; Associate Clerk and Toni Denson, Planning Technician, for their efforts and hard work.

//

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON SE 2003-SP-041, COX COMMUNICATIONS INC. D/B/A COX COMMUNICATIONS OF NORTHERN VIRGINIA, TO A DATE CERTAIN OF MAY 26, 2004.

Commissioner Byers seconded the motion which carried unanimously.

//

FS-P04-15 – OMNIPOINT (T-MOBILE), 7389 Lee Highway

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FS-P04-15.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote.

//

FS-P04-17 – OMNIPOINT (T-MOBILE), 2751 Prosperity Avenue

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FS-P04-17.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote.

//

FS-M04-8 – OMNIPOINT (T-MOBILE), 7830 Rebel Road

Commissioner Hall MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FS-M04-8.

Commissioner Byers seconded the motion which carried unanimously.

//

FS-M04-12 – OMNIPOINT (T-MOBILE), 6560 Braddock Road

Commissioner Hall MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FS-M04-12.

Commissioner Byers seconded the motion which carried unanimously.

//

FS-M04-14 – OMNIPOINT (T-MOBILE), 5827 Columbia Pike

Commissioner Hall MOVED THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FS-M04-14.

Commissioner Byers seconded the motion which carried unanimously.

//

FS-S04-22 – OMNINPOINT (T-MOBILE), 4201 Stringfellow Road

Commissioner Murphy MOVED THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FS-S04-22.

Commissioner Byers seconded the motion which carried unanimously.

//

Chairman Murphy announced that a workshop would be held tonight on amendments to the Zoning Ordinance, the Subdivision Ordinance, and the Public Facilities Manual on cluster subdivisions after the scheduled public hearings. He noted that the public hearing on these amendments would be held tomorrow night, Thursday, April 22, 2004.

//

ORDER OF THE AGENDA

Secretary Harsel set the following order for agenda:

1. RZ 2003-MV-065 - BOARD OF SUPERVISORS', OWN MOTION
2. RZ 2004-PR-003 - ARLINGTON BOULEVARD CONSOLIDATION LLC
- SE 2004-PR-007 - ARLINGTON BOULEVARD CONSOLIDATION LLC

3. RZ 2003-DR-063 - THE MOST REVEREND PAUL S. LOVERDE, BISHOP OF THE CATHOLIC DIOCESE OF ARLINGTON, VIRGINIA AND HIS SUCCESSORS IN OFFICE (ST. JOHN CATHOLIC CHURCH)  
SE 2003-DR-039 - THE MOST REVEREND PAUL S. LOVERDE, BISHOP OF THE CATHOLIC DIOCESE OF ARLINGTON, VIRGINIA AND HIS SUCCESSORS IN OFFICE (ST. JOHN CATHOLIC CHURCH)  
PCA 95-D-040 - THE MOST REVEREND PAUL S. LOVERDE, BISHOP OF THE CATHOLIC DIOCESE OF ARLINGTON, VIRGINIA AND HIS SUCCESSORS IN OFFICE (ST. JOHN CATHOLIC CHURCH)
4. WORKSHOP -PROPOSED ZONING ORDINANCE AMENDMENTS FOR CLUSTER SUBDIVISIONS

This order was accepted without objection.

//

RZ 2003-MV-065 - BOARD OF SUPERVISORS', OWN MOTION -  
Appl. to rezone from R-8, C-8 and HC to R-8, C-8, HC, and CRD to include the parcel in the Commercial Revitalization Overlay District. Located in the S.E. quadrant of Radford Ave. and Richmond Hwy. on approx. 22,292 sq. ft. of land. Comp. Plan Rec: Mixed Use. Tax Map 101-3 ((3)) 1.

Arthur Genuario, representative for Genuario Properties, reaffirmed the affidavit dated April 8, 2004. There were no disclosures by Commission members.

Commissioner Byers asked Chairman Murphy to ascertain whether or not there were any speakers present for this application. Chairman Murphy called for speakers but received no response. Therefore, Commissioner Byers requested that presentations by staff and the applicant be waived and the public hearing closed. No objections were expressed; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Byers for action on this item. (A verbatim transcript is in the date file.)

//

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS APPROVE RZ 2003-MV-065.

Commissioner Lusk seconded the motion which carried unanimously.

//

RZ 2004-PR-003 - ARLINGTON BOULEVARD CONSOLIDATION  
LLC - Appl. to rezone from C-3 and R-1 to C-3 to permit commercial development with an overall Floor Area Ratio (FAR) of 0.65. Located in

the S.W. quadrant of the intersection of Arlington Blvd. and Williams Dr. and N. and S. sides of Pennell St. on approx. 10.74 ac. of land. Comp. Plan Rec: Office. Tax Map 49-3 ((1)) 135, 49-3 ((9)) 1B, 2, 2A, 3, 4, 7A and 11A. (Concurrent with SE 2004-PR-007.)

SE 2004-PR-007 - ARLINGTON BOULEVARD CONSOLIDATION LLC - Appl. under Sects. 9-607 and 4-307 of the Zoning Ordinance to permit an increase in building height. Located at 8401 Arlington Blvd. on approx. 2.63 ac. of land zoned C-3. Tax Map 49-3 ((9)) 11A pt. (Concurrent with RZ 2004-PR-003.)

Timothy Sampson, Esquire, with Walsh, Colucci, Emrich, Lubeley, and Terpak, reaffirmed the affidavit dated March 30, 2004.

Commissioner Hart disclosed that his law firm, Hart and Horan, P.C. had one case with Walsh, Colucci, Emrich, Lubeley, and Terpak, who were listed on the affidavit as an agent for the applicant, but that the matters were unrelated to these applications and would not preclude his participation in these cases.

William Mayland, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

Mr. Sampson stated that the purpose of this application was to include parcel four, south of Pennell Street, and to consolidate the property to provide one additional commercial building for the site. He acknowledged that there was an unresolved issue with the citizens with regard to offsite stormwater management and that the applicant was working toward a favorable outcome that would be acceptable to both the citizens and the Department of Public Works and Environmental Services (DPWES.)

Chairman Murphy called the first listed speaker and recited the rules for public testimony.

Tom Christenson, Pine Ridge Civic Association, spoke in opposition to this application due to the stormwater management issue.

Fran Wallingford, Mantua Civic Association, 3230 Wynford Drive, also spoke in opposition to this application due to the stormwater management issue.

Sarah Hall, Esquire, Blankenship and Keith, 4020 University Drive, representing Irene Bettius, Trustee, expressed concern about adequate landscaping from their property. She asked that the Building "A" setback be set from 9 feet to 15 feet from the property line to accommodate appropriate landscaping.

There were no further speakers; therefore, Chairman Murphy called upon Mr. Sampson for a rebuttal statement.

Mr. Sampson addressed the following concerns raised by the speakers:

- Setbacks - Zoning regulations did not require a side yard setback from the property line.
- Stormwater management – The stormwater management plan would be reviewed by DPWES staff to ensure it was designed and constructed in accordance with the Public Facilities Manual.

Responding to questions from Commissioners Harsel, Lawrence, and Alcorn, Mr. Sampson and Mr. Mayland explained in detail the proposed stormwater plan and landscape issues.

There were no other speakers. The Commission had no further comments or questions and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Lawrence for action on this application (A verbatim excerpt is in the date file.)

//

Commissioner Lawrence MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS THAT THEY APPROVE RZ 2004-PR-003, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED APRIL 15, 2004.

Commissioner Byers seconded the motion which carried unanimously.

Commissioner Lawrence MOVED TO RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SE 2004-PR-007, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED APRIL 7, 2004, AND CONTAINED IN APPENDIX 2 OF THE STAFF REPORT.

Commissioner Byers seconded the motion which carried unanimously.

Commissioner Lawrence MOVED TO RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS IN FAVOR OF THE LANDSCAPING DEPICTED ON THE GENERALIZED DEVELOPMENT PLAN/SPECIAL EXCEPTION PLAT.

Commissioner Byers seconded the motion which carried by a vote of 11-0-1 with Commissioner Harsel abstaining.

RZ 2004-PR-003 - ARLINGTON BOULEVARD CONSOLIDATION LLC  
SE 2004-PR-007 - ARLINGTON BOULEVARD CONSOLIDATION LLC

April 21, 2004

Commissioner Lawrence MOVED TO RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A MODIFICATION OF THE LOADING SPACE REQUIREMENTS TO PERMIT THREE LOADING SPACES FOR BUILDING "A" INSTEAD OF THE REQUIRED FIVE SPACES.

Commissioner Byers seconded the motion which carried unanimously.

//

RZ 2003-DR-063 - THE MOST REVEREND PAUL S. LOVERDE, BISHOP OF THE CATHOLIC DIOCESE OF ARLINGTON, VIRGINIA AND HIS SUCCESSORS IN OFFICE (ST. JOHN CATHOLIC CHURCH) - Appl. to rezone from R-1 and R-2 to R-2 to permit building additions and site modifications to an existing place of worship with a private school of general education with an overall Floor Area Ratio (FAR) of 0.15. Located at 6422 Linway Ter. and 1608 Carlin Lane on approx. 12.55 ac. of land. Comp. Plan Rec: 2-3 du/ac. Tax Map 31-3 ((1)) 25B, 25C, 27A and 31B. (Concurrent with SE 2003-DR-039 and PCA 95-D-040.)

PCA 95-D-040 - THE MOST REVEREND PAUL S. LOVERDE, BISHOP OF THE CATHOLIC DIOCESE OF ARLINGTON, VIRGINIA AND HIS SUCCESSORS IN OFFICE (ST. JOHN CATHOLIC CHURCH) - Appl. to amend the proffers for RZ 95-D-040 previously approved for a convent and residential development to permit a reduction in land area to allow incorporation into RZ 2003-DR-063. Located on the W. side of Carlin Lane approximately 400 ft. N. of its intersection with Linway Ter. on approx. 1.20 ac. of land zoned R-2. Comp. Plan Rec: 2-3 du/ac. Tax Map 31-3 ((1)) 27A. (Concurrent with RZ 2003-DR-063 and SE 2003-DR-039.)

SE 2003-DR-039 - THE MOST REVEREND PAUL S. LOVERDE, BISHOP OF THE CATHOLIC DIOCESE OF ARLINGTON, VIRGINIA AND HIS SUCCESSORS IN OFFICE (ST. JOHN CATHOLIC CHURCH) - Appl. under Sect. 3-204 of the Zoning Ordinance to permit building additions and site modifications to an existing place of worship with a private school of general education. Located at 6422 Linway Ter. and 1608 Carlin Lane on approx. 12.55 ac. of land zoned R-2. Dranesville District. Tax Map 31-3 ((1)) 25B, 25C, 27A and 31B. (Concurrent with RZ 2003-DR-063 and PCA 95-D-040.) JOINT PUBLIC HEARING

Timothy Sampson, Esquire, with Walsh, Colucci, Emrich, Lubeley, and Terpak, reaffirmed the affidavits dated March 22, 2004.

RZ 2003-DR-063 - ST. JOHN CATHOLIC CHURCH  
PCA 95-D-040 - ST. JOHN CATHOLIC CHURCH  
SE 2003-DR-039 - ST. JOHN CATHOLIC CHURCH

April 21, 2004

Commissioner Hart disclosed that his law firm, Hart and Horan, P.C. had one case with Walsh, Colucci, Emrich, Lubeley, and Terpak, listed on the affidavit as an agent for the applicant, but that the matters were unrelated to these applications and would not preclude his participation in these cases.

Peter Braham, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the applications.

Responding to questions from Commissioner Wilson, Mr. Braham explained why the existing light fixtures did not meet the new Lighting Ordinance standards. He also acknowledged that the proposed lighting, to be installed at a later time, would have to meet the terms of the Lighting Ordinance.

Chairman Murphy called the first listed speaker and recited the rules for public testimony.

Harry Bacas, 1534 Poplar Place, McLean, Brookhaven Forest Villa Civic Association, requested deferral of the decision so that the citizens could further discuss these applications. Mr. Bacas stated concerns regarding the electronic amplification system, the schedule of the church bells, and stormwater runoff.

James Robertson, 7209 Evans Mill Road, McLean, McLean Citizens Association, spoke in support of the applications. Mr. Robertson stated that St. John's Catholic Church had agreed to establish a schedule for the church bells.

There were no other speakers. The Commission had no further comments or questions and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Hopkins for action on this application. (A verbatim excerpt is in the date file.)

//

Commissioner Hopkins MOVED THAT THE PLANNING COMMISSION DEFER THE DECISIONS FOR PCA 95-D-040, RZ 2004-DR-063, AND SEA 2003-DR-039 TO A DATE CERTAIN OF MAY 13, 2004, WITH THE RECORD REMAINING OPEN FOR WRITTEN TESTIMONY.

Commissioners Byers and Lawrence seconded the motion which carried unanimously.

//



Chairman Murphy indicated that this workshop was an opportunity for the Planning Commission and staff to discuss issues or questions before the public hearing was held. He noted the following schedule:

- Thursday, April 22, 2004 at 8:15 p.m. -- Planning Commission Public Hearing
- Monday, May 3, 2004, at 7:00 p.m. -- Public workshop held at the Government Center in Conference Room 2 and 3.
- Thursday, May 13, 2004, 8:15 p.m. -- Mark-up on amendments
- Monday, May 24, 2004 -- Board of Supervisors public hearing

Regina Murray, Zoning Evaluation Division, (ZED), Department of Planning and Zoning, (DPZ); Barbara Byron, ZED, DPZ; John Friedman, Department of Public Works and Environmental Services; William Shoup, Zoning Administration Division (ZAD), DPZ; and Karen Harwood, Office of the County Attorney, addressed questions raised by the Commissioners.

In response to questions by Commissioner Wilson, Karen Harwood, Regina Murray, Barbara Byron and John Friedman answered questions regarding ownership of common acreage of a subdivision. Ms. Harwood stated the ownership would have to go the homeowner's association or a park with the Park Authority's consent.

Responding to questions from Commissioner Lawrence, Ms. Byron, Ms. Murray and Mr. Friedman answered questions regarding by-right subdivisions, notice procedure if approval was administrative, as well as staffs' position on open space being usable for recreation.

In response to questions from Commissioner Hart, Ms. Harwood and Mr. Shoup, elaborated on questions regarding bonus density, minimum lot size for septic systems, and by-right cluster plans.

//

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

//

The meeting was adjourned at 11:20 p.m.  
Peter F. Murphy, Jr., Chairman  
Suzanne F. Harsel, Secretary

CLOSING

April 21, 2004

Minutes by: Heidi Baggett

Approved on:

---

Vacant, Clerk to the  
Fairfax County Planning Commission